

Appl. No. 09/506,342
In re HEINEY
Reply to Office Action of July 16, 2003

REMARKS/ARGUMENTS

The Examiner is thanked for the Official Action dated July 16, 2003. This amendment and request for reconsideration is intended to be fully responsive to the Official Action.

The Examiner noted the requirements for a proper Abstract but did not make any objection. Applicant submits that the Abstract filed with this application adheres to the requirements of the MPEP.

In the Official Action, claims 1-6 were rejected under 35 U.S.C. 112, 6th paragraph as being single means claims having undue breadth. Applicant respectfully submits that pending claim 1 lacks any type of “means-plus-function” language as set forth in 35 U.S.C. 112, ¶ 6th. Indeed, claim 1 recites, among other things, “a photodetector having an active region and at least one interference coating” and this structural recitation removes claim 1 from the guidelines for §112, 6th paragraph treatment.

In an effort to expedite prosecution, application has amended claim 1 to positively recite the position of the active region and interference coating relative to the electromagnetic signal moving in a direction along the path recited in the preamble of claim 1.

For the foregoing reasons, it is respectfully submitted that claims 1-16 are in

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condition for allowance. Should the Examiner believe further discussion regarding the above claim language would expedite prosecution he is invited to contact the undersigned at the number listed below.

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